

**EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen, ) CIVIL NO. CV03-00385 SOM-LEK  
                                  ) (Copyright)  
Plaintiff,                  )  
                                  ) AFFIDAVIT OF SONIA PURDY  
v.                          )  
                                  )  
HAWAIIAN EXPRESS SERVICE, )  
INC., et al.              )  
                                  )  
Defendants.              )  
                                  )  
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AFFIDAVIT OF SONIA PURDY

STATE OF HAWAII              )  
                                  )  
                                  ) SS.  
CITY AND COUNTY OF HONOLULU )

SONIA PURDY, being first duly sworn under oath deposes  
and says as follows:

1. I am a named Defendant in this case. I was a  
former salaried employee with the logistics Department of C&S  
Wholesale Grocers, Inc.'s Hawaii Division ("C&S") in Kapolei,  
Hawaii.

2. My job title at C&S was Data Entry Clerk. My  
duties and responsibilities consisted of entering information  
provided by Hawaiian Express on purchaser orders received,  
setting appointments for Hawaiian Express on a daily basis for  
incoming C&S purchase orders, billing customers for  
transportation or freight fees, and general filing. I used the  
computer at work simply for data entry.

3. I had no decision-making authority in my position as Customer Service Representative. My superiors included Teresa Noa and Brian Christensen. I did not have any authority or control over what type of computer software or programs were used by C&S.

4. I have no education, training, experience, or background in computer programming. I have never made any functional or other changes to the spreadsheets or any of the computer programs at C&S. I have never made any functional or other changes to Wayne Berry's Freight Control System or any other program developed by him.

5. I have never received any bonuses or additional compensation for the development of any computer software at C&S.

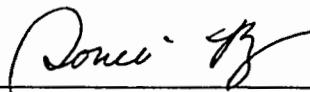
6. I have never used Plaintiff's Freight Control System after June 9, 2003, when the company shifted to using Excel Spreadsheets.

7. Prior to my employment at C&S, I was a salaried employee with Fleming Companies, Inc. ("Fleming"). I was employed at Fleming from May, 1997 to September, 2003. My job title was Customer Service Clerk and my duties and responsibilities were virtually the same as they were at C&S. I

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have never received any bonuses or additional compensation for the development of any computer software at Fleming.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
SONIA PURDY

Subscribed and sworn to before me  
this 23rd day of January 2005.

  
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Notary Public, State of Hawaii  
My Commission Expires: 4-9-2008  
Print Name: Lawrence W. Hosoda

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